

A meeting of the Board of Directors of the Washington Township Health Care District was held on Monday, October 16, 2023 in the Board Room at 2000 Mowry Avenue, Fremont and Zoom access was provided. Director Stewart called the meeting to order at 6:00 p.m. and led those present in the Pledge of Allegiance.

CALL TO ORDER

Roll call was taken. Directors present: Bernard Stewart, DDS; William Nicholson, MD; Jacob Eapen, MD; Michael Wallace; Jeannie Yee

ROLL CALL

Also present: Kimberly Hartz; Tina Nunez; Tom McDonagh; Ed Fayen; Larry LaBossiere; Nicholas Kozachenko; Cheryl Renaud; Shirley Ehrlich

Director Stewart welcomed any members of the general public to the meeting.

OPENING REMARKS

Director Stewart noted that Public Notice for this meeting, including Zoom information, was posted appropriately on our website. This meeting is being conducted in the Board Room and by Zoom.

There were no Oral Communications.

*COMMUNICATIONS
ORAL*

There were no Written Communications.

*COMMUNICATIONS
WRITTEN*

There were no Consent Calendar items for consideration.

CONSENT CALENDAR

Director Wallace moved for the adoption of Resolution No. 1257: International Union of Operating Engineers, Stationary Engineers, Local 39 Memorandum of Understanding. Director Eapen seconded the motion.

*ACTION ITEM:
CONSIDERATION OF
RESOLUTION No. 1257:
INTERNATIONAL
UNION OF OPERATING
ENGINEERS,
STATIONARY
ENGINEERS, LOCAL 39
MEMORANDUM OF
UNDERSTANDING*

Roll call was taken:

Bernard Stewart, DDS – aye
Michael Wallace – aye
William Nicholson, MD – aye
Jacob Eapen, MD – aye
Jeannie Yee – aye

Motion approved.

There were no Announcements.

ANNOUNCEMENTS

Director Stewart adjourned the meeting to closed session at 6:04 p.m., as the discussion pertained to a Conference involving Trade Secrets pursuant to Health & Safety Code section 32106 (Strategic Planning Discussion). Director Stewart stated that the public has a right to know what, if any, reportable action takes place during

*ADJOURN TO CLOSED
SESSION*

Board of Directors' Meeting

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closed session. Since this meeting was being conducted in the Board Room and via Zoom, there is no way of knowing when the closed session will end, the public was informed they could contact the District Clerk for the Board's report beginning October 17, 2023. The minutes of this meeting will reflect any reportable actions.

Director Stewart reconvened the meeting to open session at 8:55 p.m. The District Clerk reported that there was no reportable action taken during closed session.

*RECONVENE TO OPEN
SESSION & REPORT ON
CLOSED SESSION*

There being no further business, Director Stewart adjourned the meeting at 8:56 p.m. *ADJOURNMENT*

Bernard Stewart, DDS
President

Jeannie Yee
Secretary

**RESOLUTION NO. 1257
INTERNATIONAL UNION OF OPERATING ENGINEERS, STATIONARY
ENGINEERS, LOCAL 39**

Washington Township Health Care District, a local health care district, does hereby resolve as follows:

Attached hereto is a List of Amendments to the current Agreement that will be incorporated into a new Memorandum of Understanding by and between the designated representative of Washington Hospital, that being the Chief Executive Officer, and the International Union of Operating Engineers, Stationary Engineers, Local 39, a recognized majority representative under the terms of Board Resolution 331A.


The terms and conditions of the attached List of Amendments will be implemented in their entirety effective on the various dates specified with the Memorandum.


Passed and adopted by the Board of Directors of Washington Township Health Care District this 16th day of October, 2023, by the following vote:

AYES: Directors Stewart, Wallace, Nicholson, Eapen, Yee

NOES:

ABSENT:

DocuSigned by:

FE8D086E54844E2...
Bernard Stewart, DDS
President of the Washington Township
Health Care District Board of Directors

DocuSigned by:

02007A853B4B4BA...
Jeannie Yee
Secretary of the Washington Township
Health Care District Board of Directors



Washington Hospital
Healthcare System

S I N C E 1 9 4 8

Memorandum

DATE: October 12, 2023

TO: Kimberly Hartz
Chief Executive Officer

FROM: John Zubiena
Chief Human Resources Officer

SUBJECT: Local 39 Agreement

CC: Tina Nunez
Vice President of Ambulatory and Administrative Services

Washington Hospital and the International Union of Operating Engineers, Stationary Engineers Local 39 have reached an Agreement on a new, 4-year contract, following negotiations. The union ratified the contract on Friday, October 6, 2023. The union consists of Stationary Engineers, Biomedical Engineers, Carpenter/Painters, and Utility Engineers. In total, the union consists of 29 employees.

A summary of the key terms of the Agreement are as follows:

- Term – 4 years, from October 1, 2023 through September 30, 2027
 - Wage Increases
 - Year 1 increase of 5.5%; Year 2 increase of 5.39%; Year 3 increase of 5.39%; Year 4 increase of 5.39%
 - Stationary Engineer* wages for each year of contract will be:
 - \$69.86 – Year 1
 - \$73.63 – Year 2
 - \$77.60 – Year 3
 - \$81.78 – Year 4
- *All other wage rates are based on the Stationary Engineer hourly wage rate.
- Increase in the Senior Lead Engineer and Senior Lead Bio-Medical Engineer wage rates from the current 20% above Stationary Engineer to 23% above Stationary Engineer

- Increase in the Lead Engineer, Lead Bio-Medical Engineer, and Lead Crafts wage rates from the current 12.5% above Stationary Engineer to 13% above Stationary Engineer
- Differentials
 - Evening – Increase from \$2.50 to \$2.65
 - Night – Increase from \$3.00 to \$3.50
 - Relief Engineer (regularly scheduled and not regularly scheduled) – Increase from \$3.50 to \$5.00
- Shoe Allowance: Increase from \$150 to \$200 for annual safety shoe allowance.
- Apprenticeships and Journeyperson Training: Increase in annual contributions by \$50 per year per engineer as follows: \$805 on 1/1/24, \$855 on 1/1/25, \$905 on 1/1/26, and \$955 on 1/1/27.
- Benefits: Local 39 agrees that any newly agreed upon health and welfare benefits that are implemented for a majority of other bargaining unit employees of Washington Hospital will be accepted and incorporated into the MOU between Local 39 and Washington Hospital for October 1, 2023 through September 30, 2027. Until new health and welfare benefits are implemented for other bargaining unit employees of Washington Hospital, the existing health and welfare benefits contained in the MOU dated October 1, 2020 through September 30, 2023 will remain in full force and effect.
- Discrimination – Expand language against discrimination to bring it more closely in line with current federal and state equal opportunity laws.
- Bereavement Leave – Update to bring into compliance with new California law.
 - Add step-mother, step-father, step-daughter, and step-son to list of immediate family members for whom an employee may take bereavement leave.¹

¹ Applicable California law defines “parent” to include stepparents and “child” to include stepchildren. *See* Cal. Gov. Code § 12945.2.

- Eliminate the restriction on the two additional unpaid days of Bereavement Leave being only for employees who need to attend a funeral outside of CA or outside of 400 miles radius of hospital.²

² New California law requires employers to provide 5 days of bereavement leave for the death of a qualifying family member. *See* Cal. Gov. Code § 12945.7. If an employer has an existing bereavement leave policy that permits employees to take less than five days of paid bereavement leave (as WHHS does), then the employer must continue to permit its employees to take paid bereavement leave for as long as the existing policy allows, and the employer must, at a minimum, add unpaid bereavement leave days until the total number of bereavement leave days is five days. There cannot be any conditions placed on the receipt of those 5 days of protected leave, such as the existing distance requirement.